

Brookhollow I  
2800 North Loop West  
Houston, TX 77092

# W.R. GRACE & CO.

## ASBESTOS PROPERTY DAMAGE

## PROOF OF CLAIM FORM

*The United States Bankruptcy Court for the District of Delaware*  
*In re: W.R. Grace & Co., et al., Debtors, Case No. 01-01139 (JKF)*  
*(Jointly Administered)*

### SUBMIT COMPLETED CLAIMS TO:

Claims Processing Agent  
Re: W.R. Grace & Co. Bankruptcy  
PO Box 1620  
Faribault, MN 55021-1620

For a summary of the rights and obligations, please see the Table of Contents of the  
*General Information for Completing Your Asbestos Property Damage Claim Form*. The Debtors in this case are  
collectively referred to in this document as "Grace".

If you have a claim against Grace for property damage allegedly resulting from asbestos  
Grace produced and/or handled, this ASBESTOS PROPERTY DAMAGE CLAIM FORM  
IS THE ONLY FORM TO BE SUBMITTED FOR APPROVAL OF THE COURT. PLEASE SIGN AND DATE ON THE LINE  
AT THE BOTTOM OF THIS FORM. DO NOT SIGN OR DATE ANYWHERE ELSE ON THIS FORM.

INSTRUCTIONS FOR FILING THE W.R. GRACE & CO.  
ASBESTOS PROPERTY DAMAGE PROOF OF CLAIM FORM

**WHO SHOULD USE THIS ASBESTOS PROPERTY DAMAGE PROOF OF CLAIM FORM**

1. This Asbestos Damage Proof of Claim Form (referred to in this document as the "Form") applies only to current claims made against Grace by or on behalf of parties who are alleging property damage with respect to asbestos in real property owned by the party (such person is referred to in this document as the "claiming party") from a Grace asbestos-containing product or as a result of one of Grace's vermiculite mining, milling, or processing facilities.
2. The Bar Date does not apply to Asbestos Personal Injury Claims, Settled Asbestos Claims or Zonolite Attic Insulation Claims. Those claims will be subject to a separate claim submission process and should not be filed at this time.
3. This form should not be used for Medical Monitoring Claims or Non-Asbestos Claims. Instead, separate specialized proof of claim forms for these claims should be completed.
4. If you are alleging current claims against Grace with respect to asbestos in more than one (1) real property, the claiming party should complete an Asbestos Property Damage Proof of Claim Form for each property. You may request additional forms by calling the Claims Processing Agent at 1-800-432-1909.

**GENERAL INSTRUCTIONS**

1. This form must be signed by the claimant or authorized agent of the claimant. **THIS FORM MUST BE RECEIVED ON OR BEFORE 4:00 PM EASTERN TIME ON MARCH 31, 2003**, or you forever will be precluded from asserting your claim(s) against or receiving payment from Grace. Return your completed form to the Claims Processing Agent, Re: W.R. Grace & Co. Bankruptcy, P.O. Box 1620, Faribault, MN 55021-1620.  
If you are returning this form by mail, allow sufficient time so that this form is received on or before March 31, 2003. Forms that are postmarked before March 31, 2003 but received after March 31, 2003 will not be accepted. Only original forms will be accepted for filing. Forms transmitted by facsimile will not be accepted for filing.
2. If you cannot fit all information in any particular section or page, please make a copy of that page before filling it out and attach as many additional pages as needed.
3. If you are unable to provide any of the information required by the proof of claim form, please so specify, as well as provide a short statement describing why such information is unavailable. If you are in the process of obtaining such information at the time you file your proof of claim, please so advise and indicate that the same shall be provided when obtained.
4. This form must be filled out completely using BLACK or BLUE ink or may be typewritten.
  - Please print clearly using capital letters only.
  - Do not use a felt tip pen.
  - Skip a box between words.
  - Do not bend or fold the pages of the form.
  - Do not write outside of the boxes or blocks.
5. Because this form will be read by a machine, please print characters using the examples below. For optimum accuracy, please print in capital letters and avoid contact with the edge of the character boxes.  

NAME	HERE
------	------
6. Mark check boxes with an "X" (example at right).
7. Be accurate and truthful. A Proof of Claim Form is an official court document that may be used as evidence in any legal proceeding regarding your claim. The penalty for presenting a fraudulent claim is a fine of up to \$500,000 or imprisonment for up to five years or both. 18 U.S.C. §§ 152 & 3571.
8. Make a copy of your completed Form to keep for your records. Send only original Forms to the Claims Processing Agent at the following address: Claims Processing Agent, Re: W.R. Grace & Co. Bankruptcy  
PO Box 1620  
Faribault, MN 55021-1620.
9. You will receive written notification of the proof of claim number assigned to this claim once it has been processed.

## PART 1: CLAIMING PARTY INFORMATION

## NAME:

THE PRUDENTIAL INSURANCE COMPANY

Name of individual claimant (first, middle and last name) or business claimant

SOCIAL SECURITY NUMBER (Individual Claimants): F.E.I.N. (Business Claimants)

22-1211670

(last four digits of SSN)

Other names by which claiming party has been known (such as maiden name or married name):

 MI

Last

 MI

Last

GENDER:  MALE  FEMALE

## Mailing Address:

751 BROAD STREET 21ST FLOOR

Street Address

NEWARK

City

NJ

07102

State

Zip Code

U.S.A.

Country

(Province) (Postal Code)

## PART 2: ATTORNEY INFORMATION

The claiming party's attorney, if any (You do not need an attorney to file this form):

## Law Firm Name:

RIKER DANZIG SCHERER HYLAND &amp; PERRETTI LLP

## Name of Attorney:

ROBERT

J. GILSON

First

MI

Last

## Mailing Address:

10 EAST BROAD STREET, PLAZA ONE, SPEDDWELL AVENUE

Street Address

MORRISTOWN

City

NJ

07962

State

Zip Code

## Telephone:

(973) 451-8435

Area Code

(Province) (Postal Code)

9276101

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## PART 1 - PROPERTY INFORMATION

## A. Real Property For Which A Claim Is Being Asserted

1. What is the address of the real property for which a claim is being asserted (referred to herein as "the property")?

208 0 0 N O R T H   L O O P   W E S T

Street Address

H O U S T O N

City

TX

7 7 0 9 1 2

State

Zip Code

(Province) (Postal Code)

U N I T E D   S T A T E S   O F   A M E R I C A

Country

2. Are you completing an Asbestos Property Damage Proof of Claim Form for any other real property other than the one listed at "1" above?

Yes    No

3. Do you currently own the property listed in Question 1, above?

Yes    No

4. When did you purchase the property?

0 5 - 1 5 - 1 9 7 0   See Addendum

Month Day Year

5. What is the property used for (check all that apply)

Owner occupied residence

Residential rental

Commercial

Industrial   Specify:

Other   Specify:

6. How many floors does the property have?

0 1 2

7. What is the approximate square footage of the property?

0 0 0 2 2 2 2 6 0

8. When was the property built?

Before 1969

1969 - 1973

After 1973

9. What is the structural support of the property?

Wood frame

Structural concrete

Brick

Steel beam/girder

Other   Specify:

10. Have you or has someone on your behalf completed any interior renovations on the property which affected any asbestos on the property?

Yes    No

9 2 7 6 1 0 2

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**A. [REDACTED] PROPERTY FOR WHICH VENUE IS BEING ASSESSED (CONTINUED)**

If yes, please specify the dates and description of such renovations.

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Description

**See Addendum**

Year

--	--	--

Description

Year

--	--	--

Description

Year

11. To the best of your knowledge, have any other interior renovations been completed on the property during any other period of time which affected any asbestos on the property?

Yes       No

If yes, please specify the dates and descriptions of such renovations.

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Description

Year

--	--	--

Description

Year

--	--	--

Description

Year

**B. [REDACTED] CLAIM CATEGORY**

12. For which category are you making a claim on the property?

Category 1: Allegation with respect to asbestos from a Grace product in the property

Category 2: Allegation with respect to one of Grace's vermiculite mining, milling or processing operations

(If you checked Category 1 in question 12, complete section C.)

(If you checked Category 2 in question 12, complete section D.)

**C. [REDACTED] CATEGORY OF CLAIM: ALLEGATION WITH RESPECT TO ASBESTOS FROM A GRACE PRODUCT IN THE PROPERTY**

13. For what alleged asbestos-containing product(s) are you making a claim?

Monokote-3 fireproofing insulation

Other \_\_\_\_\_ (Please list the brand names of the asbestos-containing products you are claiming.)

(For a list of the brand names under which Grace manufactured products that may have contained commercially added asbestos, see Exhibit C to the Claims Bar Date Notice provided with this Proof of Claim Form.)

14. When did you or someone on your behalf install the asbestos containing product(s) in the property?

19	7	2
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I did not install the product(s)

Year

15. If you or someone on your behalf did not install the asbestos containing product(s), to the best of your knowledge, when was/were the product(s) installed?

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Don't know.

**Not Applicable**

Year

9 2 7 6 1 0 3

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16. Do you have documentation relating to the purchase and/or installation of the product in the property?

Yes  No **Not Applicable**

If Yes, attach all such documents. If the documents are too voluminous to attach, attach a summary of the documents indicating the name of each document, date of each document, a brief description of the document, the location of the document, and who has possession and control of the document.

If you provide a summary of documents rather than the documents themselves, you are required to consent to the production and release of those documents to Grace upon Grace's further request.

17. If you do not have any such documents, explain why not and indicate who may have possession or control of such documents with respect to the property.

**See Addendum**

18. When did you first know of the presence of asbestos in the property of the Grace product for which you are making this claim?

**1 9 8 5**

*Year*

Please attach all documents relating or referring to the presence of asbestos in the property for which you are making this claim. If the documents are too voluminous to attach, attach a summary of the documents indicating the name of each document, date of each document, a brief description of the document, the location of the document, and who has possession and control of the document.

If you provide a summary of documents rather than the documents themselves, you are required to consent to the production and release of those documents to Grace upon Grace's further request.

19. How did you first learn of the presence of asbestos in the property of the Grace product for which you are making this claim?

**See Addendum**

20. When did you first learn that the Grace product for which you are making this claim contained asbestos?

**1 9 8 5**

*Year*

21. How did you first learn that the Grace product for which you are making the claim contained asbestos?

**See Addendum**

22. Have you or someone on your behalf made an effort to remove, contain and/or abate the Grace product for which you are making this claim?

Yes  No **See Addendum**

If Yes, attach all documents relating or referring to such efforts. If the documents are too voluminous to attach, attach a summary of the documents indicating the name of each document, date of each document, a brief description of the document, the location of the document, and who has possession and control of the document.

If you provide a summary of documents rather than the documents themselves, you are required to consent to the production and release of those documents to Grace upon Grace's further request.

23. If you do not have any such documents, explain why not and indicate who may have possession and control of such documents with respect to the property.

**See Addendum**

24. If you or someone on your behalf did not make an effort to remove, contain and/or abate the Grace product(s) for which you are making a claim, to the best of your knowledge, did anyone else make such an effort?

Yes  No **Not Applicable**

9 2 7 6 1 0 4

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25. If you responded Yes to question 22. or 24. and you have not supplied documents, please specify the dates and descriptions of any such efforts.

<input type="text"/> <input type="text"/> <input type="text"/>	Description <b>See Addendum</b>
Year	
<input type="text"/> <input type="text"/> <input type="text"/>	Description
Year	
<input type="text"/> <input type="text"/> <input type="text"/>	Description
Year	

26. Have you or anyone on your behalf ever conducted any testing or sampling for the presence of asbestos or other particulates in the property?

Yes  No **See Addendum. All documents described in this section of the property.**

27. If you responded Yes to question 26., but you have not provided documents, indicate who may have possession or control of such testing documents or where such documents may be located.

<b>See Addendum</b>	
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28. If you or someone on your behalf did not conduct any testing or sampling for the presence of asbestos or other particulates on the property, to the best of your knowledge, did anyone else conduct such testing or sampling with respect to the property?

Yes  No **See Addendum**

29. If you responded Yes to question 26. or 28. and you have not supplied related documents, please describe when and by whom and the type of testing and/or sampling (e.g. air, bulk and dust sampling).

<input type="text"/> <input type="text"/> <input type="text"/>	Company/Individual <b>See Addendum</b>
Year	
Type of testing:	
<input type="text"/> <input type="text"/> <input type="text"/>	Company/Individual
Year	
Type of testing:	
<input type="text"/> <input type="text"/> <input type="text"/>	Company/Individual
Year	
Type of testing:	

30. Has the Grace product or products for which you are making this claim ever been modified and/or disturbed?

Yes  No

If Yes, specify when and in what manner the Grace product or products was modified and/or disturbed?

<input type="text"/> <input type="text"/> <input type="text"/>	Description <b>See Addendum</b>
Year	
<input type="text"/> <input type="text"/> <input type="text"/>	Description
Year	
<input type="text"/> <input type="text"/> <input type="text"/>	Description
Year	



36. How did you first learn of the presence of asbestos on your property?

Attach all documents relating or referring to the presence of asbestos on the property. If the documents are too voluminous to attach, attach a summary of the documents indicating the name of each document, date of each document, a brief description of the document, the location of the document, and who has possession or control of the document.

If you provide a summary of the documents rather than the documents themselves, you are required to consent to the production and release of those documents to Grace upon Grace's further request.

37. If you do not have any documents relating or referring to the presence of asbestos on the property, explain why not and indicate who may have possession or control of any such documents with respect to the property.

38. Have you or anyone on your behalf made an effort to remove, contain and/or abate the asbestos on your property?

Yes       No

If Yes, attach all documents relating or referring to such efforts. If the documents are too voluminous to attach, attach a summary of the documents indicating the name of each document, date of each document, a brief description of the document, the location of the document, and who has possession or control of the document.

If you provide a summary of the documents rather than the documents themselves, you are required to consent to the production and release of those documents to Grace upon Grace's further request.

39. If you do not have any documents relating or referring to the removal, containment and/or abatement of the asbestos on your property, explain why not and indicate who may have possession and control of such documents with respect to the property.

40. If you or someone on your behalf did not make an effort to remove, contain and/or abate the asbestos on your property, to the best of your knowledge, did anyone else make such an effort?

Yes       No

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41. If you responded Yes to question 38. or question 40. and you have not supplied related documents, please specify the dates and descriptions of any such efforts.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Description	
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Year

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Description	
--------------------------	--------------------------	--------------------------	-------------	--

Year

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Description	
--------------------------	--------------------------	--------------------------	-------------	--

Year

42. Have you or anyone on your behalf conducted any other testing or sampling for the presence of asbestos on your property?

Yes       No

If Yes, attach all documents relating or referring to such efforts. If the documents are too voluminous to attach, attach a summary of the documents indicating the name of each document, date of each document, a brief description of the document, the location of the document, and who has possession or control of the document.

If you provide a summary of the documents rather than the documents themselves, you are required to consent to the production and release of those documents to Grace upon Grace's further request.

43. If you do not have any documents relating or referring to any other such testing or sampling for the presence of asbestos on your property, explain why not and indicate who may have possession or control of such documents with respect to the property.

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44. If you or someone on your behalf did not conduct any other testing or sampling for the presence of asbestos on your property, to the best of your knowledge, did anyone else conduct such testing or sampling?

Yes       No

45. If you responded Yes to question 42. or question 44. and you have not supplied related documents, please specify the dates and descriptions of any such efforts.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Description	
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Year

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Description	
--------------------------	--------------------------	--------------------------	-------------	--

Year

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Description	
--------------------------	--------------------------	--------------------------	-------------	--

Year

46. Were you aware of the presence of asbestos on your property when you purchased your property?

Yes       No

47. If you have sold the property, were you aware of the presence of asbestos on your property when you sold your property?

Yes       No       Not Applicable, have not sold the property

## PARTY ASBESTOS LITIGATION AND CLAIMS

## A. INTRODUCTION

1. Has any asbestos-related property damage lawsuit or claim been filed against Grace on behalf of this claiming party relating to the property for which you are making this claim?

No  
 Yes – lawsuit  
 Yes – non-lawsuit claim (other than a workers' compensation claim)

2. Has any asbestos-related property damage lawsuit or claim been filed against any other party on behalf of this claiming party relating to the property for which you are making this claim?

No See Addendum  
 Yes – lawsuit  
 Yes – non-lawsuit claim (other than a workers' compensation claim)

*If an asbestos-related property damage lawsuit has been filed by or on behalf of this claiming party relating to the property for which you are making a claim, complete Section B. below.*

*If an asbestos-related property damage non-lawsuit claim has been made by or on behalf of this claiming party relating to the property for which you are making a claim, complete Section C. on the following page.*

## B. LITIGANTS

1. Please provide the following information about each asbestos-related property damage lawsuit which has been filed relating to the property for which you are making this claim or attach a copy of the face page of each complaint filed.

a. Caption

b. Court where suit originally filed:  Docket No.:   
*County/State*

c. Date filed:  -  -   
*Month Day Year*

a. Caption

b. Court where suit originally filed:  Docket No.:   
*County/State*

c. Date filed:  -  -   
*Month Day Year*

a. Caption

b. Court where suit originally filed:  Docket No.:   
*County/State*

c. Date filed:  -  -   
*Month Day Year*

(Attach additional pages if necessary.)

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## C. NON-LAW SUIT CLAIMS

1. If the claiming party has made any claims relating to the property for which you are making a claim (including administrative claims) against anyone, that was not filed with a court of law, please provide the following information for each claim:

a. Description of claim:

b. Date submitted:  -  -    
Month Day Year

c. Name of entity to whom claim was submitted:

Grace  
 Other

*Name of Entity*

a. Description of claim:

b. Date submitted:  -  -    
Month Day Year

c. Name of entity to whom claim was submitted:

Grace  
 Other

*Name of Entity*

a. Description of claim:

b. Date submitted:  -  -    
Month Day Year

c. Name of entity to whom claim was submitted:

Grace  
 Other

*Name of Entity*

## PART 5: SIGNATURE PAGE

All claims must be signed by the claiming party.

I have reviewed the information submitted on this proof of claim form and all documents submitted in support of my claim. I declare, under penalty of perjury,<sup>\*</sup> that the above statements are true, correct, and not misleading.

**CONSENT TO RELEASE OF RECORDS AND INFORMATION:** To the extent that I have produced a summary rather than the documents themselves as requested above or indicated who has possession and control of certain documents, I hereby authorize and request that all other parties with custody of any documents or information concerning my property damage or the information contained in this Form, upon the reasonable request of Grace or Grace's representative, with a copy to the claiming party, disclose any and all records to Grace or to Grace's representative.

*Lamont Lamin, VP - Corporate Counsel*  
SIGNATURE OF CLAIMANT

03 - 29 - 2003  
Month Day Year

\*The penalty for presenting a fraudulent claim is a fine up to \$500,000.00 or imprisonment up to 5 years, or both.  
18 U.S.C. §§ 152 & 3571.

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RIKER, DANZIG, SCHERER, HYLAND & PERRETTI LLP,  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, New Jersey 07962-1981  
(973) 538-0800  
Robert J. Gilson (RG 6618)

Attorneys for The Prudential Insurance Company of America

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

**In re:**

**W.R. GRACE & CO., et al.,**

**Debtors.**

Chapter 11

Case No. 01-01139 (JKF)  
(Jointly Administered)

**ADDENDUM TO PROOF OF CLAIM OF PRUDENTIAL INSURANCE  
COMPANY OF AMERICA FOR:**

**BROOKHOLLOW I,  
2800 NORTH LOOP WEST  
HOUSTON, TEXAS 77092**

RIKER, DANZIG, SCHERER, HYLAND & PERRETTI LLP,  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, New Jersey 07962-1981  
(973) 538-0800  
Robert J. Gilson (RG 6618)

Attorneys for The Prudential Insurance Company of America

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

**In re:**

**W.R. GRACE & CO., et al.,**

**Debtors.**

**Chapter 11**

**Case No. 01-01139 (JKF)  
(Jointly Administered)**

**ADDENDUM TO PROOF OF CLAIM  
OF PRUDENTIAL INSURANCE  
COMPANY OF AMERICA FOR:  
BROOKHOLLOW I, 2800 NORTH  
LOOP WEST (HOUSTON, TEXAS)**

**A. CREDITOR INFORMATION**

1. The Prudential Insurance Company of America for itself and various of its subsidiaries and affiliates (collectively "Prudential"), submits this addendum to its proof of claim with respect to its Asbestos Property Damage Claims against the Debtors, pursuant to their voluntary petition for reorganization under Chapter 11 of Title 11 of the United States Code, 11 U.S.C. §§ 101 et seq. (the "Bankruptcy Code").

2. This addendum relates to the following property:

Brookhollow I  
2800 North Loop West  
Houston, Texas 77092

Prudential is concurrently filing proofs of claims for Asbestos Property Damage for seven other properties.

3. Notices to Prudential should be addressed as follows:

Robert J. Gilson, Esq.  
Riker, Danzig, Scherer, Hyland & Perretti LLP  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, New Jersey 07962-1981

and

W.H. Ramsay Lewis, Esq.  
The Prudential Insurance Company of America  
751 Broad Street, 21<sup>st</sup> Floor  
Newark, New Jersey 07102

**B. SUPPLEMENTAL RESPONSES**

1. The following answers supplement those given on the W.R. Grace Asbestos Property Damage Proof of Claim Form:

**PART 3: PROPERTY INFORMATION**

**Response to Question No. 4**

On or about May 15, 1970, PIC Realty Corp ("PIC"), a wholly owned subsidiary of Prudential, entered into a joint venture with Fletcher Emerson Development Co., Inc. for the development of the property. PIC had an undivided 75% interest in the property and Fletcher Emerson Development Co., Inc. had an undivided 25% interest. PIC acquired all of the interest in the property on December 27, 1972. Prudential acquired a 75% interest in Brookhollow I from PIC on May 9, 1978, and the remaining 25% on December 31, 1984. The property was sold on October 1, 1997 to EOP-Brookhollow Limited Partnership.

**Response to Question No. 10**

Interior renovations which may have affected asbestos on the property include, but are not limited to Prudential's efforts to abate asbestos containing material, beginning in 1986.

In addition, this building was the subject of a previous litigation, entitled The Prudential Insurance Company of America, et al. v. United States Gypsum Co., et al., as set forth in Part 4 of the Proof of Claim Form. Extensive discovery was conducted in this case. Prudential produced documents relating to its efforts to abate asbestos and all other renovations on the property to W.R Grace and its counsel, Anthony J. Marchetta, Esq. of the Morristown, New Jersey law firm of Pitney, Hardin, Kipp and Szuch LLP. Therefore, W.R. Grace, or its counsel is already in possession of documents which may be further responsive to this question. In the event that W.R. Grace is unable to obtain such responsive documentation previously produced to its counsel, to the extent the documents are in Prudential's possession, they will be made available upon reasonable request.

See also Prudential's Responses to Question Nos. 22, 25, & 31.

**Response to Question No. 11**

See Responses to Question Nos. 10, 22, 25 and 31.

**Response to Question No. 16:**

Documents relating to the purchase and/or installation of the product in the property include, but are not limited to, the documents attached hereto as Exhibit A.

In addition, this building was the subject of a previous litigation, entitled The Prudential Insurance Company of America, et al. v. United States Gypsum Co., et al., as set forth in Part 4 of the Proof of Claim Form. Extensive discovery was conducted in this case. Prudential produced documents relating to the purchase and/or installation of the product in the property to W.R Grace and its counsel, Anthony J. Marchetta, Esq. of the Morristown, New Jersey law firm of Pitney, Hardin, Kipp and Szuch LLP. Therefore, W.R. Grace, or its counsel is already in possession of documents which may be further responsive to this question. In the event that W.R. Grace is unable to obtain such responsive documentation previously produced to its counsel, to the extent the documents are in Prudential's possession, they will be made available upon reasonable request.

**Response to Questions No. 17**

See Response to Question No. 16.

**Response to Question Nos. 18, 19, 20 and 21**

Prudential first became aware of the presence in the property of asbestos containing fireproofing in October 1985, when it received the results of a bulk sample analysis prepared by BCM Converse, Inc. Prudential first learned that the asbestos-containing fireproofing in the property was a Grace product in approximately 1990, when it received the results of constituent analysis performed by Materials Analytical Services, and when it conducted an independent investigation to identify the manufacturer of the asbestos containing fireproofing found in the property.

Documents responsive to Question Nos. 18, 19, 20 & 21 include, but are not limited to, the documents attached hereto as Exhibit B..

**Response to Question Nos. 22 and 23**

The documents relating to Prudential's abatement efforts are too voluminous to provide with this proof of claim. Instead, Prudential is attaching as Exhibit C, the report of Halliwell Engineering Associates (the "Halliwell Report"), which summarizes Prudential's abatement efforts and provides the dates such work was performed, as well as a summary of the documents which form the basis of the Halliwell Report.

In addition, this building was the subject of a previous litigation, entitled The Prudential Insurance Company of America, et al. v. United States Gypsum Co., et al., as set forth in Part 4 of the Proof of Claim Form. Extensive discovery was conducted in this case. Prudential produced documents relating to its efforts to abate asbestos on the property to W.R Grace and its counsel, Anthony J. Marchetta, Esq. of the Morristown, New Jersey law firm of Pitney, Hardin, Kipp and Szuch LLP. Therefore, W.R. Grace, or its counsel is already in possession of documents which may be further responsive to this question. In the event that W.R. Grace is unable to obtain such responsive documentation previously produced to its counsel, to the extent the documents are in Prudential's possession, they will be made available upon reasonable request.

See also Responses to Questions Nos. 10, 25, and 31.

**Response to Question No. 25**

The tables attached as Exhibit D summarize the abatement of the fireproofing that was performed when Prudential owned the property. The tables, though focused on costs, also contain the dates and descriptions of the work performed. Supporting documentation for these tables and other aspects of the fireproofing abatement work performed prior to Prudential's sale of the building may be found at the offices of Riker, Danzig, Scherer, Hyland & Perretti LLP, in Morristown, New Jersey.

In addition, this building was the subject of a previous litigation, entitled The Prudential Insurance Company of America, et al. v. United States Gypsum Co., et al., as set forth in Part 4 of the Proof of Claim Form, in which extensive discovery was conducted. Prudential produced documents relating to its efforts to abate asbestos-containing material on the property to W.R Grace and its counsel, Anthony J. Marchetta, Esq. of the Morristown, New Jersey law firm of Pitney, Hardin, Kipp and Szuch LLP. Therefore, W.R. Grace, or its counsel is already in possession of documents which may be further responsive to this question. In the event that W.R. Grace is unable to obtain such responsive documentation previously produced to its counsel, to the extent the documents are in Prudential's possession, they will be made available upon reasonable request.

**Response to Question Nos. 26, 27, 28 and 29**

Documents relating to the testing of materials on the property include, but are not limited to the constituent analysis performed by Materials Analytical Services, a report on representative sampling of the asbestos-containing fireproofing, and a report

of William M. Ewing relating to asbestos testing. These documents, along with other testing documents responsive to Question No. 26, are attached hereto as Exhibit E..

In addition, this building was the subject of a previous litigation, entitled The Prudential Insurance Company of America, et al. v. United States Gypsum Co., et al., as set forth in Part 4 of the Proof of Claim Form, in which extensive discovery was conducted. To the extent that they exist, Prudential produced other documents relating to other sampling/testing (i.e. air, dust, or bulk sampling) on the property to W.R Grace and its counsel, Anthony J. Marchetta, Esq. of the Morristown, New Jersey law firm of Pitney, Hardin, Kipp and Szuch LLP. Therefore, W.R. Grace, or its counsel is already in possession of documents which may be further responsive to this question. In the event that W.R. Grace is unable to obtain such responsive documentation previously produced to its counsel, to the extent the documents are in Prudential's possession, they will be made available upon reasonable request.

#### **Response to Question No. 31**

Evidence pertaining to disturbance or modification of asbestos-containing materials in the property include Prudential's abatement and renovation efforts, as set forth in its Responses to Questions 10, 22, 23 and 25. Further, the report of William H. Ewing, attached hereto in Exhibit E, sets forth modifications and disturbances of the asbestos-containing materials in the building.

In addition, this building was the subject of a previous litigation, entitled The Prudential Insurance Company of America, et al. v. United States Gypsum Co., et al., as set forth in Part 4 of the Proof of Claim Form, in which extensive discovery was conducted. Prudential produced documents relating to any disturbance or modification

of asbestos-containing materials on the property to W.R Grace and its counsel, Anthony J. Marchetta, Esq. of the Morristown, New Jersey law firm of Pitney, Hardin, Kipp and Szuch LLP. Therefore, W.R. Grace, or its counsel is already in possession of documents which may be further responsive to this question. In the event that W.R. Grace is unable to obtain such responsive documentation previously produced to its counsel, to the extent the documents are in Prudential's possession, they will be made available upon reasonable request.

#### **PART 4: ASBESTOS LITIGATION AND CLAIMS**

##### **Response to Questions A.2 and B.1**

This building was the subject of previous litigation, captioned: The Prudential Insurance Company of America, et al. v. United States Gypsum Co.; W.R. Grace & Co.; The Celotex Corporation; United States Mineral Products Co.; Keene Corporation; Asbestospray Corporation, Civil Action No. 87-4277 and The Prudential Insurance Company of America, et al. v. National Gypsum Company, Civil Action No. 87-4328. These cases were filed in the United States District Court for the District of New Jersey.

The Complaint in The Prudential Insurance Company of America, et al. v. United States Gypsum Co., et al. was filed on October 20, 1987. The Complaint in The Prudential Insurance Company of America v. National Gypsum was filed on October 21, 1987. These actions were consolidated on October 17, 1988. On April 13, 1989, Prudential filed its First Amended Complaint and Jury Demand in the consolidated litigation. Copies of the First Amended Complaint, and the face pages of the two earlier Complaints, are attached hereto as Exhibit F.

No lawsuit other than what is set forth above has been brought, but that litigation did include claims of joint and several liability. During the pendency of the above identified action all of the defendants filed for bankruptcy or dissolution. While there are claims pending in several bankruptcy proceedings and there is also a pending appeal, the claim related to the property that is the subject of this Proof of Claim is only being pursued against W.R. Grace & Co.

**C. MISCELLANEOUS PROVISIONS**

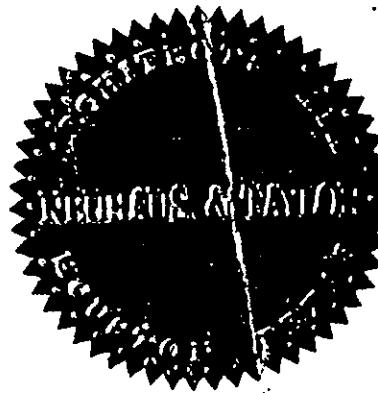
1. **No Waiver of Security or Rights:** In executing and filing this proof of claim, Prudential does not waive any right to security held by it or for its benefit or any other right or rights that Prudential has or may have against Debtors or any other person or persons.
2. **Right to Amend Reserved:** Prudential expressly reserves the right to amend or supplement this proof of claim (including, but not limited to, for purposes of asserting a claim for rejection damages, administrative priority, fixing the amount of damages, fees, costs and expenses referred to herein) at any time and in any respect.
3. **Jurisdiction Only Over Claim:** In filing the within claim, Prudential does not submit itself to the jurisdiction of the Court for any other purpose other than with respect to such claim.
4. **Additional Claims:** This proof of claim is made without prejudice to the filing by Prudential of additional proofs of claim with respect to any other indebtedness or liability of Debtors to Prudential.

## EXHIBIT A

SPECIFICATIONS  
AND  
RELATED DOCUMENTS  
FOR  
BROOKHOLLOW GOLDEN CENTER  
FLETCHER EMERSON DEVELOPMENT COMPANY  
HOUSTON, TEXAS

PROJECT NO. 9836

October 23, 1970



FRETZ CONSTRUCTION COMPANY

CHENAULT & BRADY ENGINEERS

ELLISOR ENGINEERS

22  
GENERAL CONTRACTOR

CONSULTING ENGINEERS

STRUCTURAL ENGINEERS

NEUHAUS AND TAYLOR, A.I.A.  
5051 WESTHEIMER, SUITE 1700

ARCHITECTS AND PLANNING CONSULTANTS  
HOUSTON, TEXAS 77027

093D01-1

9836

9G-1

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**Section 9G - SPRAYED FIREPROOFING**

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The Conditions of the Contract and applicable requirements of Division 1 govern this Section.

**01 SCOPE**

This Section includes the complete work of SPRAYED FIRE-PROOFING.

A-9.1

**02 SUPPLIER'S INSTRUCTIONS**

SF

Follow the Supplier's printed instructions for the use and installation of his products; except, follow the Specifications given here-in when these Specifications are more restrictive.

A-16

**03 WARRANTY**

By accepting a Contract, this Contractor agrees to warrant his work for one year against becoming unserviceable or objectionable in appearance as a result of being defective or non-conforming. Without limiting the warranty scope, the Work shall be warranted as follows:

- A. In unexposed areas, remain -
  1. Well adhered to the substrate.
  2. Free of dusting or similar surface deterioration.
- B. In exposed areas, comply with the warranty for Painting as given under that section.

**04 MISCELLANEOUS SUBMISSIONS**

Submit the following for review, approval or coordination as directed.

- A. Descriptive brochure giving U.L. fire ratings and system details.
- B. Physical samples showing color & texture.

A-25.1  
SF

**05 EXAMINATION OF CONDITIONS**

Proceed only when conditions are suitable for satisfactory performance of this Work.

09MD01-2

9836

9G-2

A-26

06 PROTECTION OF OTHER WORK

Arrange procedures and devices to protect other work from disfigurement and physical damage. This Contractor shall be responsible for damages resulting from his work.

07 MATERIALS

A. CEMENTITIOUS MIXTURE:

1. REFERENCE SPECIFICATION: Listed in U.L. "Building Materials List", Guide No. 40UL18.3, current edition.
2. SUPPLIERS: Zonolite "Mono-kote" or others meeting the reference specification.

B. WATER: Clean, fresh and free of mineral and organic impurities in amounts that would be harmful to the work.

C. SEALER: Of type recommended by the supplier, if any is needed.

08 MATERIAL DELIVERY

All manufactured materials shall be delivered in original, unopened packages bearing the name of the manufacturer and the Underwriter's Label.

09 FIRE RESISTANCE RATING

When applied to the underside of the slabs of 2-1/2 inches, or thicker, with a pan-joist framing, this material shall achieve a 2 hr. U.L. fire rating.

10 EXPOSED AREAS

- A. APPEARANCE: Level base coat to provide a desirable finish appearance.
- B. FINISH: Colored white with integral coloring; Uniform texture.
- C. JOIST FINISH: Carry texture finish coat over joists & beams to provide an overall, uniform color & texture.

023D01-3

9836

9G-3  
(End)

11 LOCATIONS

- A. TYPICALLY: In slab portions of pan-joist floor & roof systems.
- B. SPECIAL: Where shown for decorative purposes in exposed areas.

12 RELATED WORK (Specified in other Sections)

- A. Plastering.
- B. Gypsum lathing & furring.



RIKER, DANZIG, SCHERER, HYLAND & PERRETTI  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, New Jersey 07962-1981  
(201) 538-0800

Attorneys for Plaintiffs,  
The Prudential Insurance Company  
of America, et al.

THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA, et al.

Plaintiffs,

vs.

UNITED STATES GYPSUM COMPANY,  
et al.

Defendants.

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

Hon. Harold A. Ackerman

CIVIL ACTION

No. 87-4227 (HAA)  
No. 87-4238 (HAA)

THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA,

Plaintiff,

vs.

NATIONAL GYPSUM COMPANY,

Defendant.

AFFIDAVIT OF  
CURTIS B. DORMAN

State of Texas :  
 : ss  
County of Harris :

I, CURTIS B. DORMAN, of full age and duly sworn  
according to the law, upon my oath depose and say:

1. I am an employee of Tobin & Rooney, Inc. ("Tobin & Rooney"), a company located in Houston, Texas. Tobin & Rooney is a specialty subcontractor engaged in the business of installing sprayed-on fireproofing and doing lathing and plastering work in commercial buildings.

2. I have worked for Tobin & Rooney for approximately thirty-two years. During that time, I have worked as a plasterer, fireproofer, and fireproofing foreman.

3. In the mid-1960's, Tobin & Rooney was the subcontractor selected to install the sprayed-on fireproofing material in the Houston Natural Gas Building ("Houston Natural Gas"). Houston Natural Gas is a high-rise office building located in Houston, Texas.

4. As part of my job responsibilities with Tobin & Rooney, I worked as a fireproofing foreman during the installation of the sprayed-on fireproofing in Houston Natural Gas.

5. I recall that the sprayed-on fireproofing installed by Tobin & Rooney in Houston Natural Gas was Mono-Kote. I further recall that the Mono-Kote sprayed-on fireproofing installed in Houston Natural Gas was supplied by Shelton W. Greer.

6. In approximately the late 1960's to early 1970's, Tobin & Rooney was selected to install the sprayed-on fireproofing in the two office towers known as Executive Plaza.

The twin office buildings known as Executive Plaza are located at 4615 and 4635 Southwest Freeway in Houston, Texas.

7. As part of my job responsibilities with Tobin & Rooney, I worked as a fireproofer during the installation of the sprayed-on fireproofing in one of the two Executive Plaza towers. I recall that Mono-Kote was the sprayed-on fireproofing installed in that building. I further recall that the Mono-Kote sprayed-on fireproofing installed in this building was supplied by Shelton W. Greer.

8. In the course of my work with Tobin & Rooney, I have become familiar with the products used by the company. During the 1960's and 1970's, Mono-Kote was virtually the only sprayed-on fireproofing used by Tobin & Rooney in its fireproofing jobs.

9. To the best of my knowledge, the sprayed-on fireproofing installed in the second Executive Plaza tower was also Mono-Kote, since Mono-Kote was virtually the only sprayed-on fireproofing product used by Tobin & Rooney during this time.

10. In the early 1970's, Tobin & Rooney was the subcontractor selected to install the sprayed-on fireproofing in the Brookhollow Golden Center. Brookhollow Golden Center, currently known as Brookhollow I, is an office building located at 2800 North Loop West in Houston, Texas.

11. As part of my job responsibilities with Tobin & Rooney, I worked as a fireproofer during the installation of the sprayed-on fireproofing in Brookhollow I. I recall that Mono-

Kote was the sprayed-on fireproofing installed in Brookhollow I. I further recall that the Mono-Kote sprayed-on fireproofing installed in this building was supplied by Shelton W. Greer.

12. Again in the early 1970's, Tobin & Rooney was the subcontractor selected to install the sprayed-on fireproofing in the buildings known as Park Towers. The Park Towers are two high-rise office buildings located at 1233 and 1333 West Loop South in Houston, Texas.

13. As part of my job responsibilities with Tobin & Rooney, I worked as a fireproofer during the installation of the sprayed-on fireproofing in the entire garage area (consisting of several parking levels) of each of the two towers. I recall that Mono-Kote was the sprayed-on fireproofing installed in these sections of the buildings.

14. To the best of my knowledge, Mono-Kote was also the sprayed-on fireproofing installed in the remaining floors of both towers, since it was virtually the only sprayed-on fireproofing being used by Tobin & Rooney at the time.

I have read this statement and can attest that the statement is true and accurate.

Curtis B. Dorman

CURTIS B. DORMAN

State of Texas : ss  
County of Harris :

The foregoing instrument was acknowledged before me this 23 day of APRIL, 1991 by Curtis B. Dorman.

Notary Public

My Commission Expires:  
4-25-93



RIKER, DANZIG, SCHERER, HYLAND & PERRETTI  
Headquarters Plaza  
One Speedwell Avenue  
Morristown, New Jersey 07962-1981  
(201) 538-0800

Attorneys for Plaintiffs  
The Prudential Insurance Company of America, et al.

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THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, <u>et al.</u> ,	Plaintiffs,	UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY HON. HAROLD A. ACKERMAN CIVIL ACTION NO. 87-4227 (HAA) No. 87-4238 (HAA)
--	-------------	--

v.

UNITED STATES GYPSUM COMPANY, <u>et al.</u> ,	<u>AFFIDAVIT OF GARY RICHTER</u>
---	----------------------------------

Defendants,

---

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA,
--

Plaintiffs,

v.

NATIONAL GYPSUM COMPANY,
--------------------------

Defendant.

---

STATE OF TEXAS	)	ss:
COUNTY OF HARRIS	)	

I, GARY RICHTER, of full age and duly sworn according to the law, upon my oath depose and say:

1. I am an employee of Tobin & Rooney, Inc. ("Tobin & Rooney"), a company located in Houston, Texas. Tobin & Rooney is a specialty subcontractor engaged in the business of installing

sprayed-on fireproofing and doing lathing and plastering work in commercial buildings.

2. I have worked for Tobin & Rooney since approximately 1951. During that time, I have worked as a plasterer, plastering foreman and, at present, as a superintendent.

3. In the course of my work with Tobin & Rooney, I became familiar with the products used by the company in the 1960's and 1970's. Once the sprayed-on fireproofing product known as Mono-Kote had been introduced to the market, it became virtually the only sprayed-on fireproofing used by Tobin & Rooney in its fireproofing jobs.

4. In the mid-1960's, Tobin & Rooney was the subcontractor selected to install the sprayed-on fireproofing material in the Houston Natural Gas building. The Houston Natural Gas Building is a high-rise office building located in Houston, Texas.

5. As part of my job responsibilities with Tobin & Rooney, I worked as a plasterer during the construction of the Houston Natural Gas building.

6. To the best of my recollection, the sprayed-on fireproofing material installed by Tobin & Rooney in the Houston Natural Gas Building ("Houston Natural Gas") was Mono-Kote.

7. In the early 1970's, Tobin & Rooney was the subcontractor selected to install the sprayed-on fireproofing material in the 1100 Milam Building. The 1100 Milam Building ("1100 Milam") is a high-rise office building located in Houston, Texas.

8. I recall the 1100 Milam project because, at the time of its construction, it was one of the largest buildings in Houston.

9. As part of my job responsibilities with Tobin & Rooney, I worked as a plasterer during the construction of the 1100 Milam Building. To the best of my recollection, Mono-Kote was the sprayed-on fireproofing installed in Floors 1 through 47 of the building. I further recall doing plastering on the lower floors of the building while the Mono-Kote was being applied to the upper floors.

10. Again in the early 1970's, Tobin & Rooney was the subcontractor selected to install the sprayed-on fireproofing in the buildings known as Park Towers. The Park Towers are two high-rise office buildings located at 1233 and 1333 West Loop South, in Houston, Texas.

11. I recall the Park Towers construction because it took place fairly close to the location of Tobin & Rooney's offices.

12. As part of my responsibilities with Tobin & Rooney, I worked as the plastering foreman for one of the two towers. To the best of my recollection, Mono-Kote was the only fireproofing material installed in this tower. In addition, to the best of my knowledge, Mono-Kote was also installed in the remaining tower since it was virtually the only sprayed-on fireproofing being installed by Tobin & Rooney at that time.

13. Additionally, in approximately the late 1960's to early 1970's, Tobin & Rooney was selected to install the sprayed-on fireproofing material in both the Executive Plaza and Brookhollow I projects. Executive Plaza comprises two office buildings located at 4615 and 4635 Southwest Freeway in Houston, Texas. Brookhollow I, formerly Brookhollow Golden Center, is an office building located at 2800 North Loop West in Houston, Texas.

14. To the best of my knowledge, Mono-Kote was the sprayed-on fireproofing installed in the two Executive Plaza buildings and in Brookhollow I. Mono-Kote was virtually the only sprayed-on fireproofing product used by Tobin & Rooney in its fireproofing jobs at the time Tobin & Rooney installed the sprayed-on fireproofing in these buildings.

I have read this statement and can attest that the statement is true and accurate to the best of my recollection.

*Gary Richter*  
GARY RICHTER

STATE OF TEXAS )  
                  )ss:  
COUNTY OF HARRIS )

The foregoing instrument was acknowledged before me this  
28th day of June, 1990 by Gary Richter.

My Commission Expires:  
11-15-90

*Beverly A. McLean*  
Beverly A. McLean  
Notary Public

## EXHIBIT B

ASBESTOS SURVEY REPORT

FOR

PRUDENTIAL INSURANCE COMPANY  
PROPERTY 941-941, BROOKHOLLOW GOLDEN

BCM PROJECT NO. 05-4151-01-022

OCTOBER 25, 1985

BCM CONVERSE INC.  
108 ST. ANTHONY STREET  
MOBILE, ALABAMA 36602

PIS

460611

BCM No. 022  
Page 1 of 4BCM CONVERSE INC.  
BCM NO. 022

## BUILDING EVALUATION:

Prudential Portfolio No.: 941-941  
 Building Name: Brookhollow Golden  
 Address: 2700 North Loop  
 Houston, Texas

BCM Field Evaluator: Phillip Davidson  
 BCM Q/C Review: David L. Upton/Brian J. Britain  
 Date of Survey: 7/25/85  
 Property Manager: Greg Brown  
 Phone No.:  
 Person(s) Contacted: Greg Brown

Type of Building: 12 Story Office Building

Results of Visual Inspection: Friable fireproof coating was found on all structural steel, friable mud packing was found in the mechanical rooms on each floor and the boiler stacks are insulated with suspect friable material.

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>LOCATION</u>
2,000 S.F.	Equipment Coverings	Boiler Stacks (2)
175,000 S.F.	Coating on Beams	1st - 12th Floor Steel
50 Joints	Mud Packing	1st - 12th floor mechanical rooms

## RESULTS OF LABORATORY ANALYSIS OF BULK SAMPLES OBTAINED:

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>SAMPLE I.D.</u>	<u>RESULTS/TYPE ASBESTOS*</u>
11th Floor Mechanical Rm.	Muddled Joints	022-01-01 022-01-02	0% 0%
10th Floor Mechanical Rm.	Muddled Joints	022-01-03 022-01-04	0% 0%
9th Floor Mechanical Rm.	Muddled Joints	022-01-05 022-01-06	0% 0%

\* The number in parentheses identifies the type asbestos present, as follows: (1) Amosite, (2) Chrysotile, (3) Crocidolite, (4) Anthophyllite, (5) Tremolite, and (6) Actinolite.

BCM CONVERSE INC.

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BCM No. D22  
Page 2 of 4

## RESULTS OF LABORATORY ANALYSIS OF BULK SAMPLES OBTAINED:

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>SAMPLE I.D.</u>	<u>RESULTS/TYPE ASBESTOS*</u>
8th Floor Mechanical Rm.	Muddled Joints	D22-01-07 D22-01-08	0% 0%
7th Floor Mechanical Rm.	Muddled Joints	D22-01-09 D22-01-10	0% 0%
6th Floor Mechanical Rm.	Muddled Joints	D22-01-11 D22-01-12	0% 0%
5th Floor Mechanical Rm.	Muddled Joints	D22-01-13 D22-01-14	1%(2) 0%
4th Floor Mechanical Rm.	Muddled Joints	D22-01-15 D22-01-16	0% 0%
3rd Floor Mechanical Rm.	Muddled Joints	D22-01-17 D22-01-18	0% 0%
2nd Floor Mechanical Rm.	Muddled Joints	D22-01-19 D22-01-20	0% 0%
1st Floor Mechanical Rm.	Muddled Joints	D22-01-21 D22-01-22	0% 0%
Penthouse Elevator Rm.	Beam Coating	D22-02-01 D22-02-02	18%(2) 15%(2)
11th Floor Suite 1110	Beam Coating	D22-02-03	10%(2)
Suite 1130	Beam Coating	D22-02-04	11%(2)
Elevator Lobby	Beam Coating	D22-02-05	9%(2)
10th Floor Suite 1018	Beam Coating	D22-02-06	8%(2)
Suite 1021	Beam Coating	D22-02-07	14%(2)
Suite 1047	Beam Coating	D22-02-08	12%(2)
9th Floor Suite 965	Beam Coating	D22-02-09	10%(2)
Suite 959	Beam Coating	D22-02-10	12%(2)
Suite 940	Beam Coating	D22-02-11	8%(2)

\* The number in parentheses identifies the type asbestos present, as follows: (1) Amosite, (2) Chrysotile, (3) Crocidolite, (4) Anthophyllite, (5) Tremolite, and (6) Actinolite.

BCM CONVERSE INC.

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BCM No. 022  
Page 3 of 4

## RESULTS OF LABORATORY ANALYSIS OF BULK SAMPLES OBTAINED:

<u>LOCATION</u>	<u>DESCRIPTION</u>	<u>SAMPLE I.D.</u>	<u>RESULTS/TYPE ASBESTOS*</u>
8th Floor			
Suite 821	Beam Coating	D22-02-12	12%(2)
Suite 819	Beam Coating	D22-02-13	10%(2)
Elevator Lobby	Beam Coating	D22-02-14	11%(2)
7th Floor			
Suite 744	Beam Coating	D22-02-15	8%(2)
Suite 754	Beam Coating	D22-02-16	15%(2)
Suite 705	Beam Coating	D22-02-17	13%(2)
6th Floor			
Suite 606	Beam Coating	D22-02-18	11%(2)
Suite 632	Beam Coating	D22-02-19	12%(2)
Suite 609	Beam Coating	D22-02-20	7%(2)
5th Floor			
Suite 543	Beam Coating	D22-02-21	12%(2)
Suite 520	Beam Coating	D22-02-22	9%(2)
Suite 545	Beam Coating	D22-02-23	6%(2)
4th Floor			
Suite 400	Beam Coating	D22-02-24	13%(2)
Elevator Lobby	Beam Coating	D22-02-25	15%(2)
Suite 415	Beam Coating	D22-02-26	21%(2)
3rd Floor			
Suite 315	Beam Coating	D22-02-27	13%(2)
Suite 323	Beam Coating	D22-02-28	15%(2)
Elevator Lobby	Beam Coating	D22-02-29	15%(2)
2nd Floor			
Suite 215	Beam Coating	D22-02-30	10%(2)
Suite 203A	Beam Coating	D22-02-31	14%(2)
Suite 200	Beam Coating	D22-02-32	13%(2)
1st Floor			
Suite 148	Beam Coating	D22-02-33	9%(2)
Suite 146	Beam Coating	D22-02-34	11%(2)
Suite 110	Beam Coating	D22-02-35	7%(2)
G-3	Beam Coating	D22-02-36	8%(2)
Elevator Lobby	Beam Coating	D22-02-37	15%(2)
Janitor Break Room	Beam Coating	D22-02-38	16%(2)
Boiler Stack	Equipment Covering	D22-02-39	27%(2)
Boiler Stack	Equipment Covering	D22-02-40	28%(1), 5%(2)

\* The number in parentheses identifies the type asbestos present, as follows: (1) Amosite, (2) Chrysotile, (3) Crocidolite, (4) Anthophyllite, (5) Tremolite, and (6) Actinolite.

BCM CONVERSE INC.

PIS

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BCM No. 022  
Page 4 of 4

LOCATION AND DESCRIPTION OF ASBESTOS-CONTAINING MATERIALS:

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>LOCATION</u>
175,000 S.F.	Beam Coating	1st-12th Floor Steel
2,000 S.F.	Equipment Coverings	Boiler Stacks

BUDGET ESTIMATES FOR REMOVAL AND REPLACEMENT OF ASBESTOS MATERIALS:

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>REMOVAL COST</u>	<u>TIME</u>	<u>REPLACEMENT COST</u>	<u>TIME</u>
2,000 S.F.	Equip. Cov.	\$ 10,000	4 days	\$ 5,000	4 days
175,000 S.F.	Beam Coating	1,750,000	88 days	1,750,000	88 days
<hr/>		<hr/>		<hr/>	
TOTAL		\$1,760,000		\$1,755,000	

BCM CONVERSE INC.

PIS 460615





July 11, 1990

Re: Brookhollow I  
Houston, Texas

Based on the constituent analysis of the fireproofing samples for the above-referenced project, it is my opinion that the samples analyzed are Mono-Kote 3, which was manufactured by W. R. Grace.

Worksheets reflecting our analysis are attached.

William E. Longo, Ph.D.

PIS 00061057

3597 Parkway Lane • Suite 270  
Norcross, Georgia 30092  
(404) 448-3200 FAX (404) 448-2256

BUILDING: Brookhollow I  
Houston, Texas

The following bulk samples from the above-referenced buildings were analyzed and were used to form an opinion of the manufacturer and product.

<u>Bulk Sample #</u>	<u>Sample Location</u>
10	4th Floor Support NW Elevator Shaft
16	5th Floor Support NW Elevator Shaft
18	6th Floor Support NW Elevator Shaft
23	7th Floor Support NW Elevator Shaft

## MATERIALS ANALYTICAL SERVICES, INC.

## BULK ASBESTOS SHEET

Project # - Spl #: M3825-10Date: 3/7/90Project Name: PRUDENTIALAnalyst: W.B. EgelandSample Identification: ROCKWOOL #4-1 4<sup>TH</sup> FLOOR SUPPORTNW ELEVATOR FIRE PROOFING.Gross Visual Description: LIGHT BEIGE. GOLD FLAKES AND DENTS AS WELL AS FIBERS BOUND BY AN ABUNDANT FINE MATRIX. RUSTED PIECES OF METAL ARE ATTACHED TO ONE SIDE.

## Optical Data for Asbestos Identification

Morphology . . . . .	<u>LAMEY</u>	.....	.....
Pleochroism . . . . .	<u>None</u>	.....	.....
Refractive Index . . . . .	<u>1.54/1.55</u>	.....	.....
Sign of Elongation . . . . .	<u>+/-</u>	.....	.....
Extinction . . . . .	<u>parallel</u>	.....	.....
Birefringence . . . . .	<u>low</u>	.....	.....
Melt . . . . .	<u>no</u>	.....	.....
Fiber Name . . . . .	<u>CHRYSTALIC</u>	.....	.....

## ASBESTOS MINERALS:

## Est. Vol. %

Chrysotile . . . . .	<u>8</u>	.....
Amosite . . . . .	.....	.....
Crocidolite . . . . .	.....	.....
Tremolite/Actinolite . . . . .	.....	.....
Anthophyllite . . . . .	.....	.....

## OTHER FIBROUS COMPONENTS:

Mineral/Rock wool . . . . .	.....	.....
Fibrous glass . . . . .	.....	.....
Cellulose . . . . .	.....	.....
Synthetic . . . . .	.....	.....
Other . . . . .	.....	.....

## NON-FIBROUS COMPONENTS:

Perlite . . . . .	.....	.....
Vermiculite . . . . .	<u>25</u>	.....
Other . . . . .	.....	.....

Binders . . . . . 57ABUNDANT GYPSUM WITH SCATTERED CARBONATE AND OTHER ASSOCIATED GRANULAR MINERALS.EFFERVESCENCE: LEAK IN ISOLATED AREAS

## COMMENTS:

NO STARCH OBSERVED.

## MATERIALS ANALYTICAL SERVICES, INC.

## BULK ASBESTOS SHEET

Project # - Spl #: M 3825-16Date: 3/7/90Project Name: PRUDENTIALAnalyst: L.B. EyclesSample Identification: BROOK HOLLOW 120.57 # 5-35<sup>TH</sup> FLOOR SUPPORT - NW ELEVATOR SHAFTGross Visual Description: LIGHT BEIGE. COLOR BOULDERS AND FLAKES AS WELL AS FIBERS BOUND BY AN ABUNDANT FINE MATRIX.

## Optical Data for Asbestos Identification

Morphology . . . . .	WAKEY
Pleochroism. . . . .	NONE
Refractive Index . . . . .	(1.41) 1.54/1.55
Sign of Elongation . . . . .	t
Extinction . . . . .	parallel
Birefringence. . . . .	low
Melt . . . . .	no
Fiber Name . . . . .	CHRYSTOC

## ASBESTOS MINERALS:

## Est. Vol. %

Chrysotile . . . . .	10
amosite . . . . .	
Crocidolite . . . . .	
Tremolite/Actinolite . . . . .	
Anthophyllite . . . . .	

## OTHER FIBROUS COMPONENTS:

Mineral/Rock wool . . . . .	
Fibrous glass . . . . .	
Cellulose . . . . .	
Synthetic . . . . .	
Other . . . . .	

## NON-FIBROUS COMPONENTS:

Perlite . . . . .	
Vermiculite . . . . .	35
Other . . . . .	

Binders . . . . . 55ABUNDANT GYPSUM WITH SCATTERED ASSOCIATED MINERALS.EFFERVESCENCE: LEAK IN ISOLATED AREAS

## COMMENTS:

NO STARCH OBSERVED.

## MATERIALS ANALYTICAL SERVICES, INC.

## BULK ASBESTOS SHEET

Project # - Spl #: 173825-18Date: 3/7/90Project Name: PRUDENTIALAnalyst: W.B.E.Sample Identification: CRDIA HOLLOW 120.47.# 6-16<sup>TH</sup> FLOOR SUPPORT, NW ELEVATOR SHAFTGross Visual Description: LIGHT BEIGE, GOLD FLAKES AND BOARS AS  
WELL AS FIBERS BOUND BY AN ABUNDANT FINE MATRIX. RUSTED PIECES  
OF METAL ATTACHED.

## Optical Data for Asbestos Identification

Morphology . . . . .	WAVEY . . . . .
Pleochroism . . . . .	NONE . . . . .
Refractive Index . . . . .	(1.51) 1.541/1.55 . . . . .
Sign of Elongation . . . . .	± . . . . .
Extinction . . . . .	parallel . . . . .
Birefringence . . . . .	LOW . . . . .
Melt . . . . .	NO . . . . .
Fiber Name . . . . .	<u>CHRYSTALITE</u> . . . . .

## ASBESTOS MINERALS:

Est. Vol. %

Chrysotile . . . . .	8
amosite . . . . .	
Crocidolite . . . . .	
Tremolite/Actinolite . . . . .	
Anthophyllite . . . . .	

## OTHER FIBROUS COMPONENTS:

Mineral/Rock wool . . . . .	
Fibrous glass . . . . .	
Cellulose . . . . .	
Synthetic . . . . .	
Other	

## NON-FIBROUS COMPONENTS:

Perlite . . . . .	
Vermiculite . . . . .	35
Other	

Binders . . . . . 57ABUNDANT GYPSUM AND SCATTERED FINE GRANULAR MINERALSEFFERVESCENCE: WEAK IN ISOLATED AREAS

## COMMENTS:

NO STARCH OBSERVED

## MATERIALS ANALYTICAL SERVICES, INC.

## BULK ASBESTOS SHEET

Project # - Spl #: 17385-23 Date: 7/7/00Project Name: PRUDENTIAL Analyst: L. B. S.Sample Identification: DROOK HOLLOW 120 UT # 7-27<sup>TH</sup> FLOOR SUPPORT, N.W. ELEVATOR SHAFTGross Visual Description: LIGHT BEIGE. GOLD FLAKES AND BLOCKS AS WELL AS FIBERS BOUNCE BY AN ABOUNDANT FINE MATRIX, SMALL RUSTED PIECES OF METAL ARE ATTACHED.Optical Data for Asbestos Identification

Morphology . . . . .	<u>WAVY</u>
Pleochroism. . . . .	<u>None</u>
Refractive Index . . . . .	<u>1.57155</u>
Sign of Elongation . . . . .	<u>+/-</u>
Extinction . . . . .	<u>parallel</u>
Birefringence. . . . .	<u>low</u>
Melt . . . . .	<u>+</u>
Fiber Name . . . . .	<u>CHRYSTOTILE</u>

## ASBESTOS MINERALS:

## Est. Vol. %

Chrysotile . . . . .	<u>8</u>
Amosite . . . . .	_____
Crocidolite . . . . .	_____
Tremolite/Actinolite . . . . .	_____
Anthophyllite . . . . .	_____

## OTHER FIBROUS COMPONENTS:

Mineral/Rock wool . . . . .	_____
Fibrous glass . . . . .	_____
Cellulose . . . . .	_____
Synthetic . . . . .	_____
Other	_____

## NON-FIBROUS COMPONENTS:

Perlite . . . . .	_____
Vermiculite . . . . .	<u>35</u>
Other	_____

Binders . . . . . 57ABUNDANT GYPSUM AND ASSOCIATED GRANULAR MINERALS.EFFERVESCENCE: NO REACTION IN DILUTED ACID

## COMMENTS:

NO STARCH OBSERVED

MATERIALS ANALYTICAL SERVICES, INC.  
3597 Parkway Lane, Suite 250  
Norcross, GA 30092  
404/448-3200

TEM ANALYSIS: BULK ANALYSIS

PROJECT: PRUDENTIAL: BROOK HOLLOW  
SAMPLE NUMBER: 173825-10  
SAMPLE ID: 4-1 PARKING GARAGE 4TH LEVEL

DATE OF ANALYSIS: 6/22/90

ANALYST: W.B. English

---

Asbestos Minerals: CHrysotile (EDS)(DIFF)

Other Components: VERNICULITE (EDS)  
CIPSUM (EDS)(DIFF)  
STEEL PARTICLES (EDS)

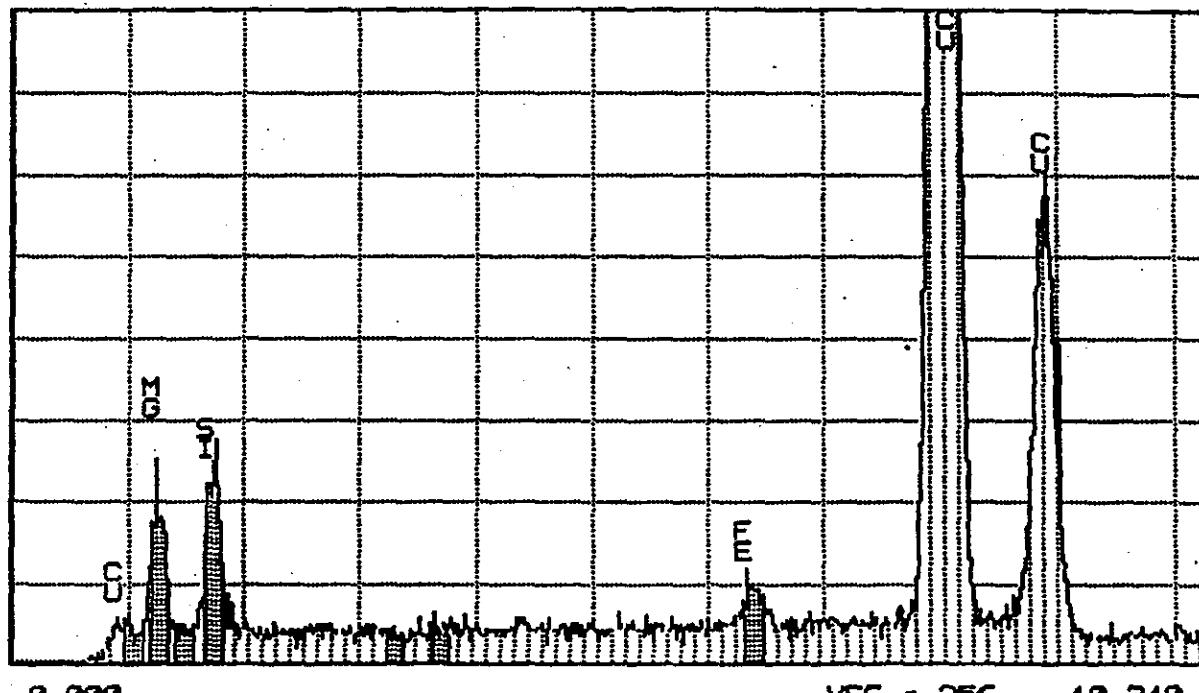
Comments:

MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 10:28

Cursor: 0.000keV = 0

ROI (SIK $\sigma$ ) 1.660: 1.810-1012



0.000

VFS = 256

10.240

26

M3825-10, CHRYSOTILE

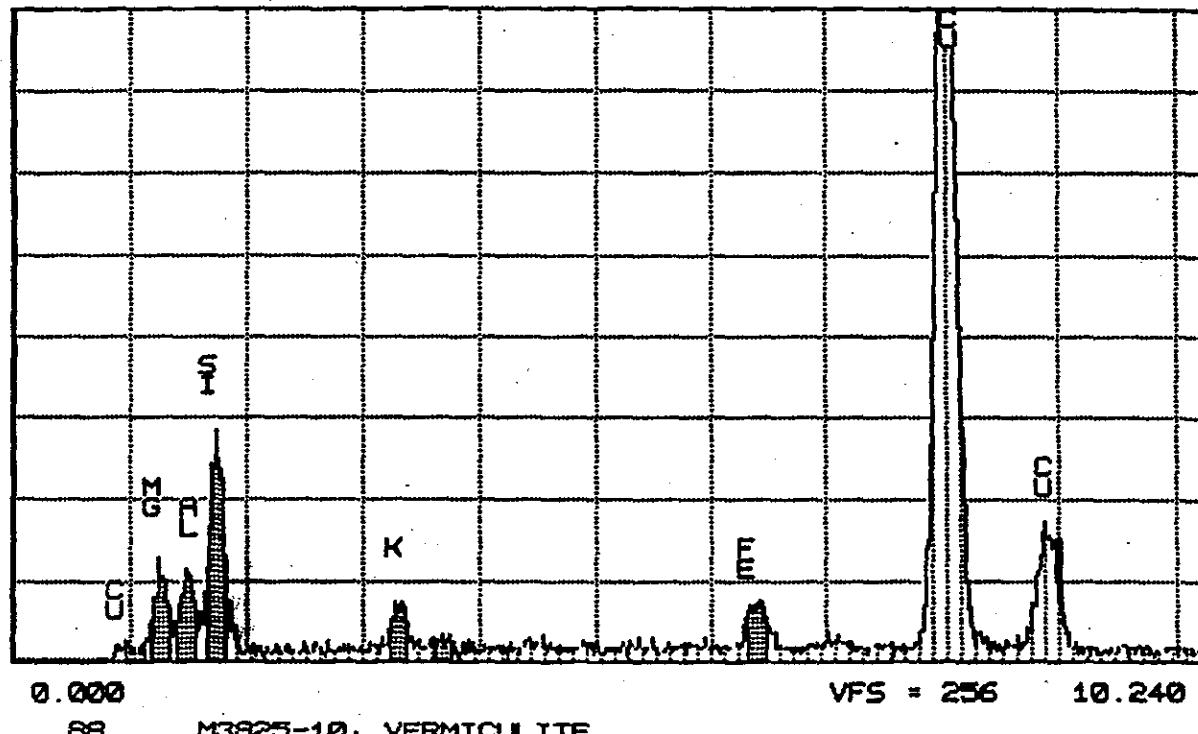
PIS 00061064

MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 10:23

Cursor: 0.000keV = 0

ROI (SIK $\alpha$ ) 1.660: 1.810-1001

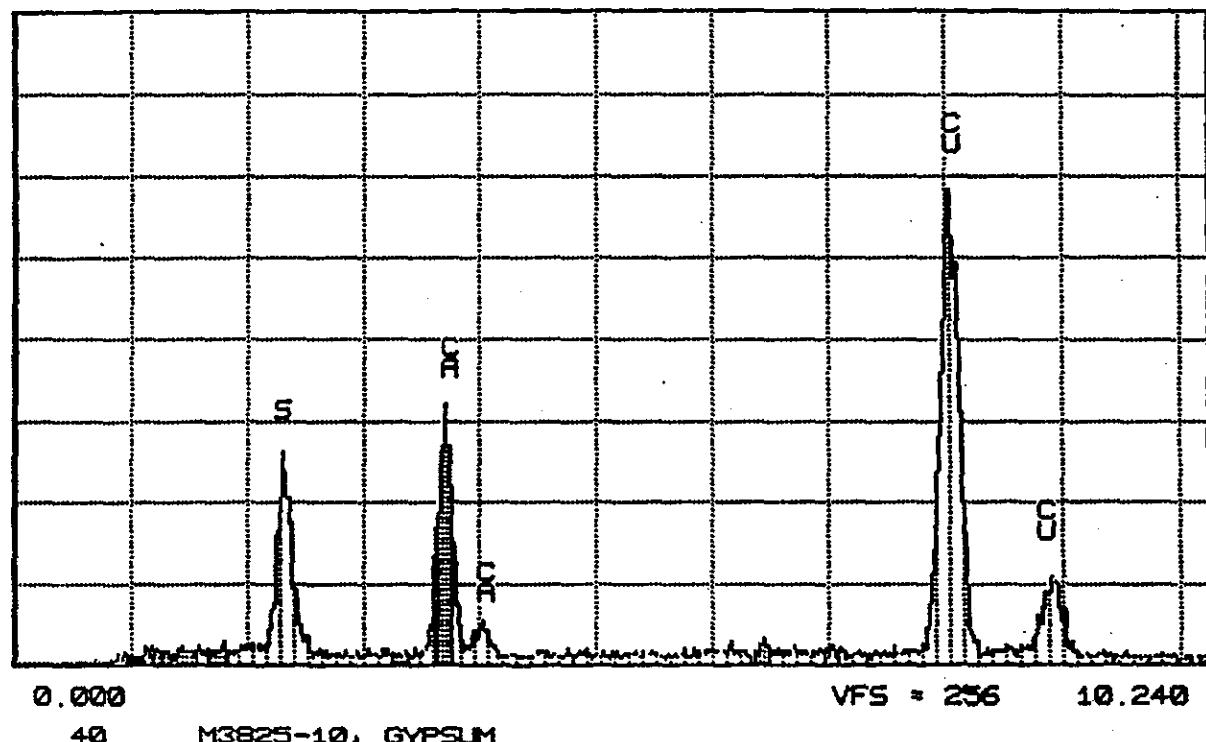


MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 10:15

Cursor: 0.000keV = 0

ROI (SiK $\alpha$ ) 1.660: 1.810=78



40

M3825-10. GYPSUM

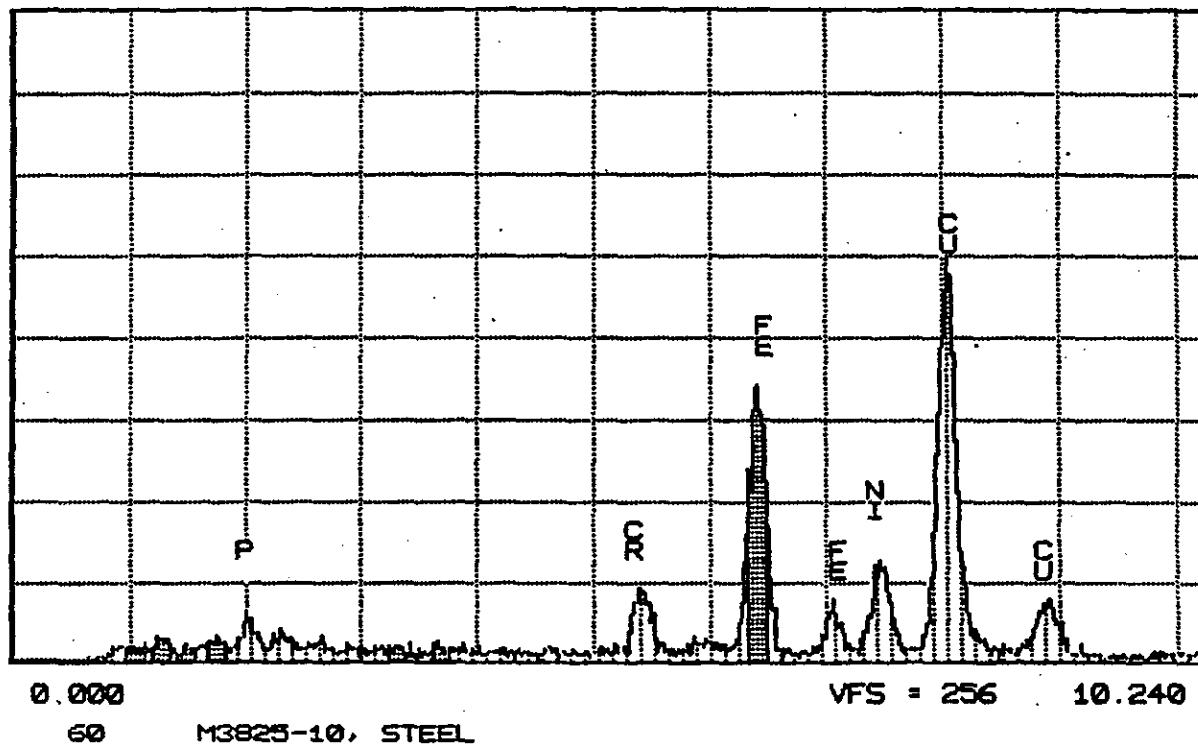
PIS 00061066

MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 10:18

Cursor: 0.000keV = 0

ROI (SIK $\alpha$ ) 1.660: 1.810=126



0.000

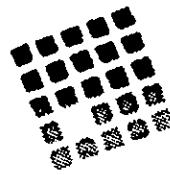
VFS = 256

10.240

60

M3825-10, STEEL

PIS 00061067



MATERIALS ANALYTICAL SERVICES, INC.  
3597 Parkway Lane, Suite 250  
Norcross, GA 30092  
404/448-3200

TEM ANALYSIS: BULK ANALYSIS

PROJECT: PRUDENTIAL: BROOKHOLLOW  
SAMPLE NUMBER: M3825-16  
SAMPLE ID: 5-3 PARKING GARAGE 5TH LEVEL

DATE OF ANALYSIS: 6/22/90

ANALYST: W.B. Eggleston

---

Asbestos Minerals: CHRYSOTILE (EOS)(DIFF)

Other Components: VERMICULITE (EOS)  
GYPSUM (EOS)(DIFF)  
CACCITE (EOS)(DIFF)

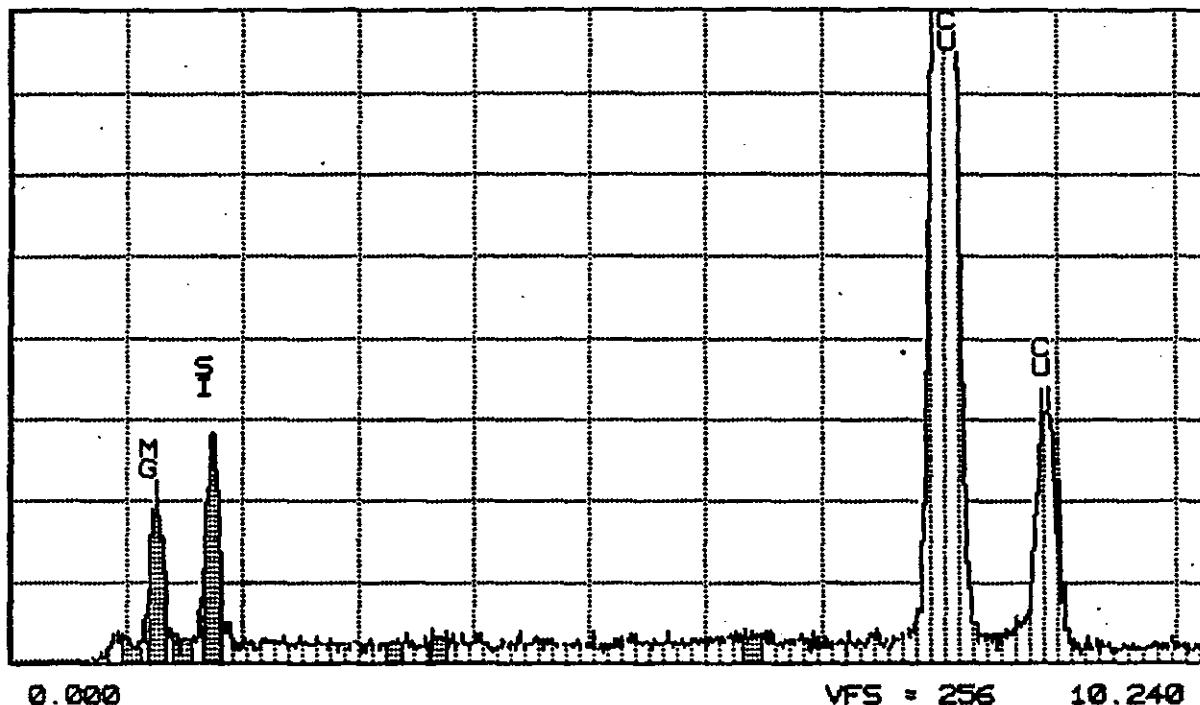
Comments:

MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 09:46

Cursor: 0.000KeV = 0

ROI (SIK $\alpha$ ) 1.660: 1.810=1022



25

M3825-16, CHRYSOTILE

VFS = 256

10.240

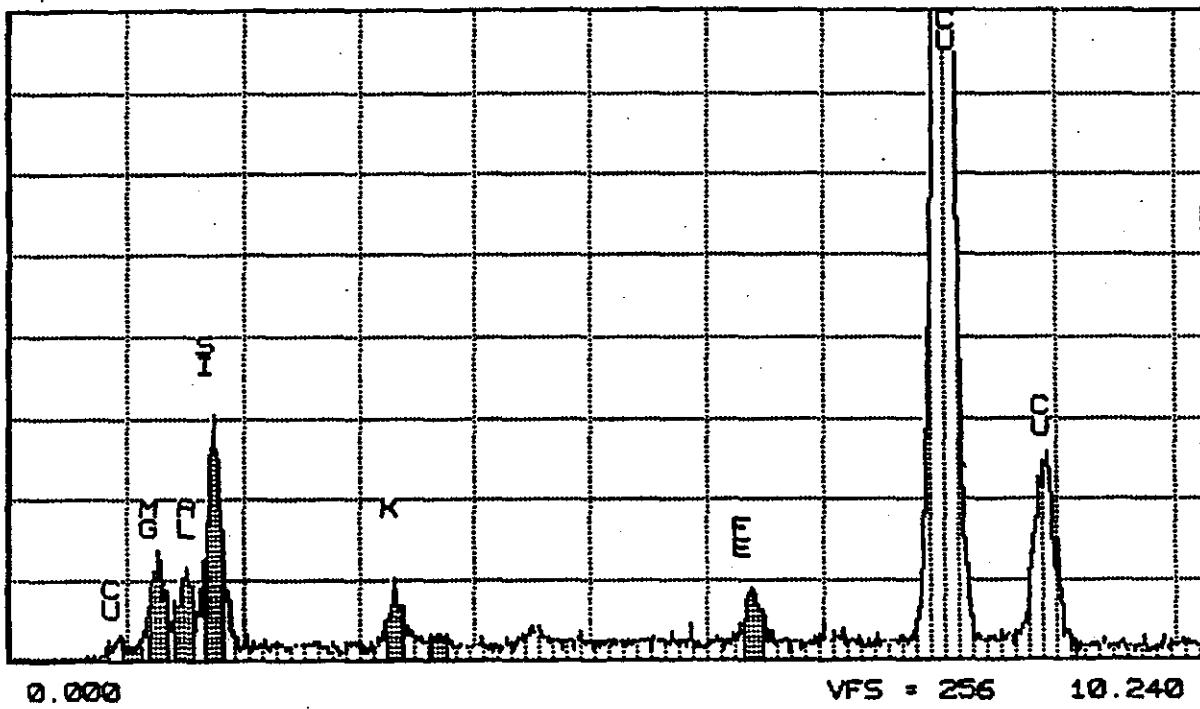
PIS 00061069

MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 09:43

Cursor: 0.000keV = 0

ROI (SIK $\alpha$ ) 1.660: 1.810=1045

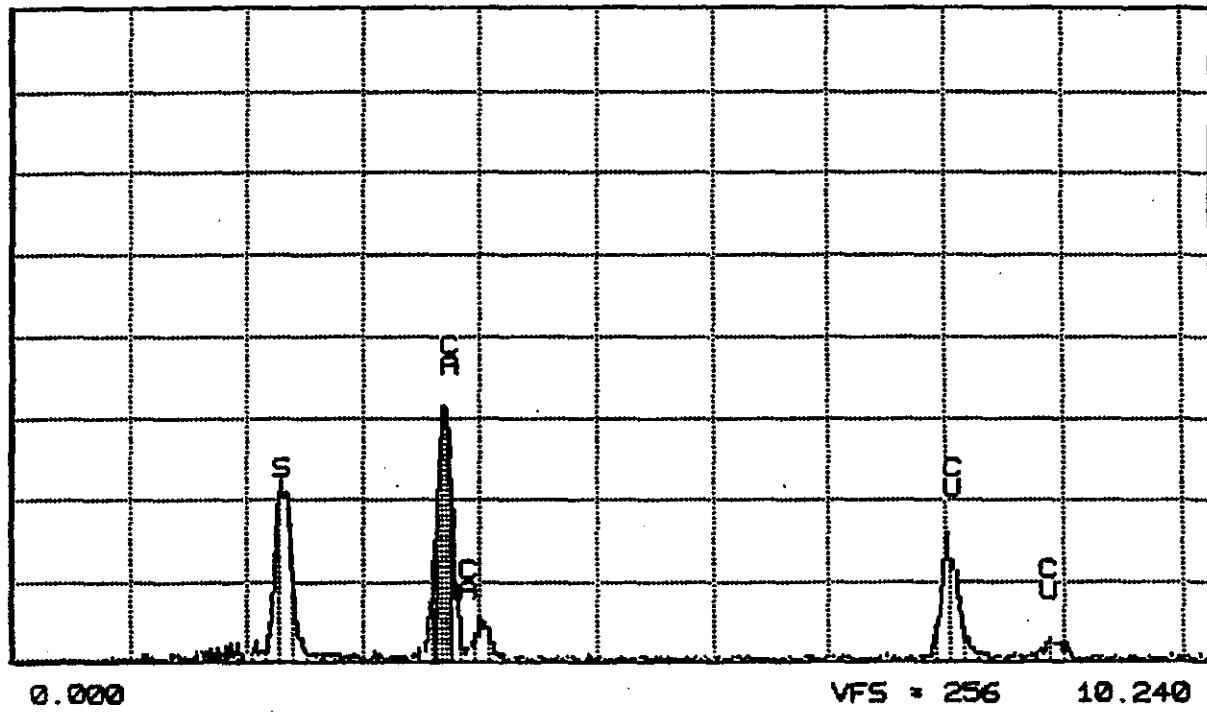


MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 09:51

Cursor: 0.000KeV = 0

ROI (SIKd) 1.660: 1.810=48

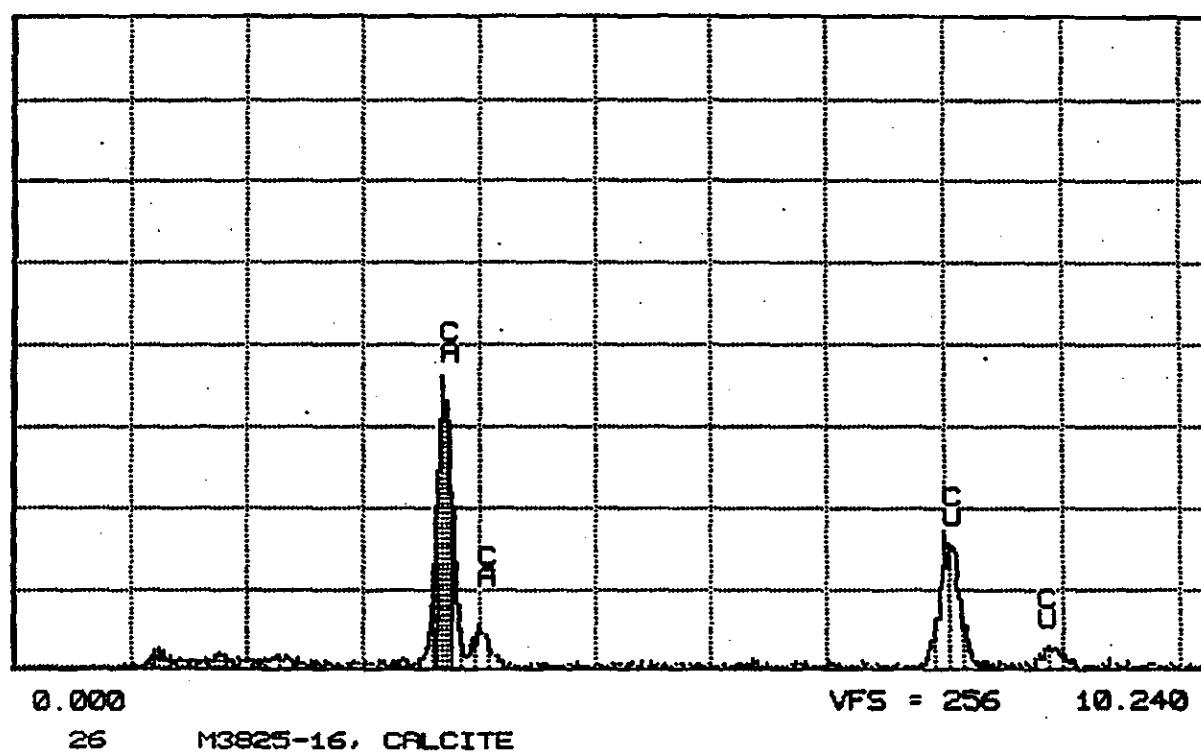


MATERIALS ANALYTICAL SERVICES

FRI 22-JUN-90 10:06

Cursor: 0.000keV = 0

ROI (SIK $\alpha$ ) 1.660: 1.810=69



ADDITIONAL BULK ANALYSIS

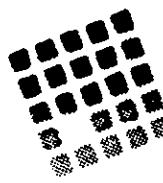
Sample # 13825-10

Analyst W.B. Egeland

Date 3/8/90

ACID DISSOLUTION

(1) Petri dish plus sample:	<u>7.7122</u> g
(2) Petri dish minus sample:	<u>7.3842</u> g
(3) Original sample weight:	<u>0.3280</u> g
(4) Filter weight:	<u>0.0714</u> g
(5) Clean petri dish weight:	<u>7.3905</u> g
(6) Final sample weight plus filter and petri dish:	<u>7.6223</u> g
(7) Final sample wt: ((6) - [(4) + (5)])	<u>0.1604</u> g
(8) Percent residue wt: ((7)/(3) x 100)	<u>48.9</u> %
(9) Amount in solution: (100 - (8))	<u>51.1</u> %



MATERIALS  
ANALYTICAL  
SERVICES

ADDITIONAL BULK ANALYSIS

STARCH VERIFICATION

Sample # M3825-10

Analyst W.B. Egland

Date 3/28/90

1) Sample Analyzed before/after acid dissolution

Starch observed

no

yes

Iodine test  
(ceiling tile only)

positive \_\_\_\_\_

negative \_\_\_\_\_

PIS 00061074

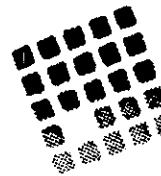
3597 Parkway Lane • Suite 250  
Norcross, Georgia 30092  
(404) 448-3200

## ADDITIONAL BULK ANALYSIS

Sample # M 3825-16Analyst W. N. EgelandDate 3/8/90

## ACID DISSOLUTION

(1) Petri dish plus sample:	<u>7.8040</u> g
(2) Petri dish minus sample:	<u>7.3497</u> g
(3) Original sample weight:	<u>0.4543</u> g
(4) Filter weight:	<u>0.0719</u> g
(5) Clean petri dish weight:	<u>7.3164</u> g
(6) Final sample weight plus filter and petri dish:	<u>7.5763</u> g
(7) Final sample wt:((6) -[(4) + (5)])	<u>0.1880</u> g
(8) Percent residue wt:((7)/(3) x 100)	<u>41.4</u> %
(9) Amount in solution:(100 - (8))	<u>58.6</u> %



MATERIALS  
ANALYTICAL  
SERVICES

ADDITIONAL BULK ANALYSIS

STARCH VERIFICATION

Sample # 43825-16

Analyst W. B. Egeland

Date 3/28/90

1) Sample Analyzed before/after acid dissolution

Starch observed

no  yes

yes \_\_\_\_\_

Iodine test  
(ceiling tile only)

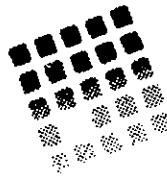
positive \_\_\_\_\_

negative \_\_\_\_\_

PIS 00061076

3597 Parkway Lane • Suite 250  
Norcross, Georgia 30092  
(404) 448-3200





MATERIALS  
ANALYTICAL  
SERVICES

March 27, 1991

RE: Brookhollow I  
Houston, Texas

The constituent analysis of additional fireproofing samples for the above-referenced project supplements my July 11, 1990 opinion and confirms that the samples analyzed are Mono-Kote 3, which was manufactured by W. R. Grace.

Worksheets reflecting the analysis are attached.

W.E.L.  
William E. Longo, Ph.D.

PIS 00111314

3597 Parkway Lane • Suite 250  
Norcross, Georgia 30092  
(404) 448-3200 FAX (404) 368-8256

BUILDING: Brookhollow I  
Houston, Texas

The following bulk samples from the above-referenced building were analyzed and were used to supplement the opinion regarding the manufacturer and product.

<u>Bulk Sample</u>	<u>Sample Location</u>	<u>Collected By</u>
1-4	Parking Garage First Level	BCM

## MATERIALS ANALYTICAL SERVICES, INC.

## BULK ASBESTOS SHEET

Project # - Spl #: 173825-8Date: 3/26/91Project Name: PRUDENTIAL, BROOKHOLLOW 120.47Analyst: W.B. EnglandSample Identification: #1-4 PARKING GARAGE 1<sup>ST</sup> LEVELGross Visual Description: LIGHT BEIGE, GOLD FLAKES AND BOULDERS AS WELL AS FIBERS THROUGHOUT A FINE MATRIX.Optical Data for Asbestos Identification

Morphology . . . . .	<u>WAVER</u>	•	•	•	•
Pleochroism. . . . .	<u>None</u>	•	•	•	•
Refractive Index . . . . .	<u>(1.6)</u>	<u>1.57/1.55</u>	•	•	•
Sign of Elongation . . . . .	<u>+</u>	•	•	•	•
Extinction . . . . .	<u>parallel</u>	•	•	•	•
Birefringence. . . . .	<u>low</u>	•	•	•	•
Melt . . . . .	<u>No</u>	•	•	•	•
Fiber Name . . . . .	<u>CHRYSTOTILE</u>	•	•	•	•

## ASBESTOS MINERALS:

## Est. Vol. %

Chrysotile . . . . .	<u>8</u>	•	•	•	•
Amosite . . . . .	•	•	•	•	•
Crocidolite . . . . .	•	•	•	•	•
Tremolite/Actinolite . . . . .	•	•	•	•	•
Anthophyllite . . . . .	•	•	•	•	•

## OTHER FIBROUS COMPONENTS:

Mineral/Rock wool . . . . .	•	•	•	•	•
Fibrous glass . . . . .	•	•	•	•	•
Cellulose . . . . .	•	•	•	•	•
Synthetic . . . . .	•	•	•	•	•
Other . . . . .	•	•	•	•	•

## NON-FIBROUS COMPONENTS:

Perlite . . . . .	•	•	•	•	•
Vermiculite . . . . .	<u>35</u>	•	•	•	•
Other . . . . .	•	•	•	•	•

Binders . . . . . 57ABUNDANT GYPSUM WITH SLATTERED FINE GRANULAR MINERALSEFFERVESCENCE: none in isolated areas

## COMMENTS:

NO STAINING OBSERVED. CLUMPS OF FIBROUS MINERAL WOOL, CELLULOSE, AND SYNTHETIC APPEARING TO SAMPLE (SAMPLE IS PART).



## EXHIBIT C

# **BROOKHOLLOW I**

**HOUSTON, TEXAS**

**(W.R. GRACE)**

## **SUMMARY OF ASBESTOS FIREPROOFING REMOVAL AND REPLACEMENT NET COSTS**

*Prepared By*

**Halliwell Engineering Associates, Inc.**

**July, 1996**

**BROOKHOLLOW I  
HOUSTON, TX  
(W.R. GRACE)**

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	B. ASBESTOS FIREPROOFING REMOVAL STATUS DRAWING
	C. BUILDING INFORMATION SUMMARY
	D. INFORMATION CONSIDERED IN THE DEVELOPMENT OF THIS REPORT
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TABLE 2	SUMMARY OF COMPLETED ASBESTOS FIREPROOFING REMOVAL AND REPLACEMENT NET COSTS
TABLE 3	DETAILED COSTS FOR COMPLETED ASBESTOS FIREPROOFING REMOVAL AND REPLACEMENT PROJECTS
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TABLE 5	MISCELLANEOUS RELATED COSTS NOT INCLUDED IN THIS REPORT
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	B. HALLIWELL ENGINEERING ASSOCIATES INC; SUMMARY OF EXPERIENCE AND CAPABILITIES
	C. MR. HALLIWELL'S PRIOR TESTIMONY RECORD

**BROOKHOLLOW I  
HOUSTON, TX  
(W.R. GRACE)**

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- E. COMPENSATION SCHEDULES FOR MR. HALLIWELL AND HALLIWELL ENGINEERING ASSOCIATES, INC.**

**APPENDICES:**

**APPENDIX A**

- PART A: ASBESTOS ABATEMENT PROJECT INFORMATION**
- PART B: BUILDING INSPECTIONS CONDUCTED BY HALLIWELL ENGINEERING ASSOCIATES**
- PART C: LOCATION AND DETAILS OF INFORMATION CONSIDERED IN THE DEVELOPMENT OF THIS REPORT**

**APPENDIX B** PROJECT FLOOR AREA/FIREPROOFING AREA CALCULATIONS

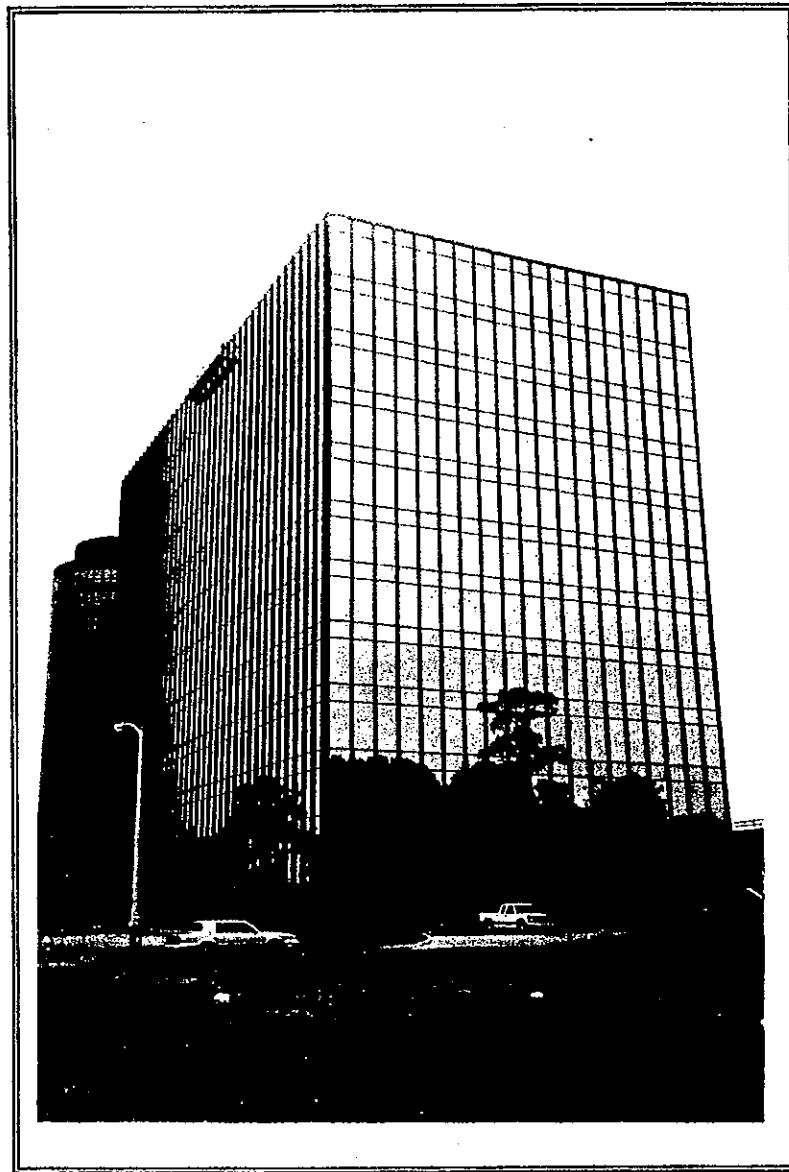
**APPENDIX C** REDUCED BUILDING DRAWINGS

SECTION I

## **SECTION I**

### **INTRODUCTION**

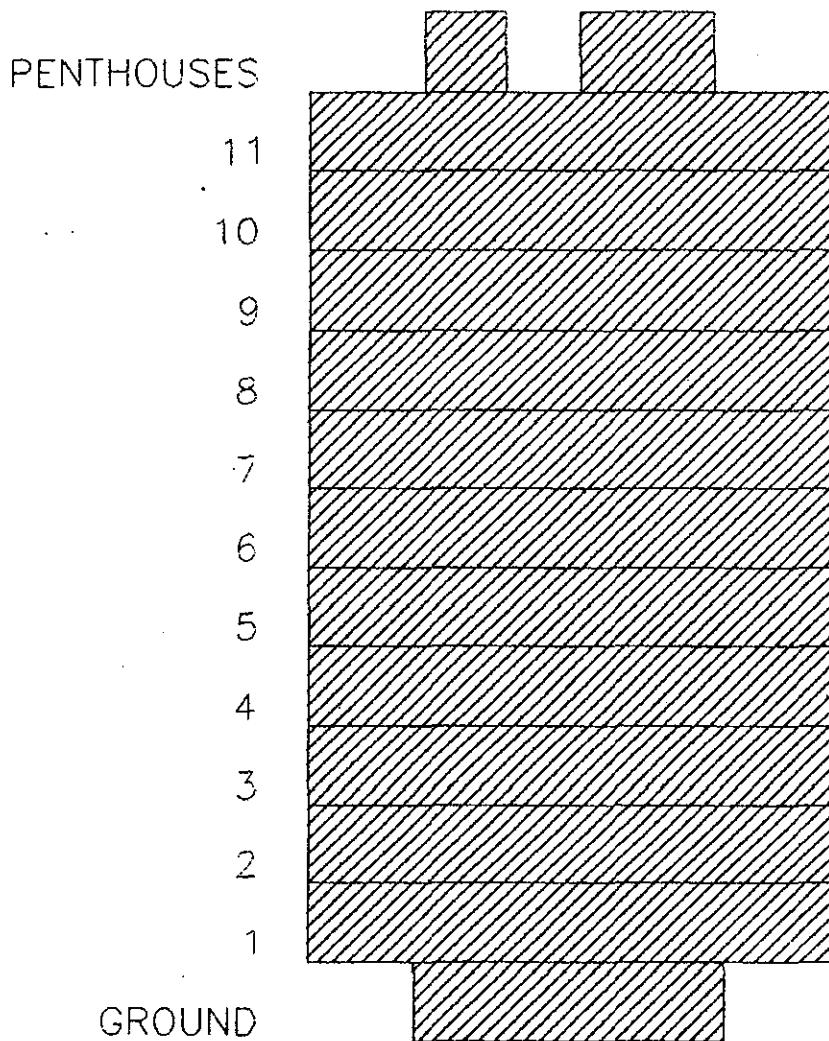
**A) BUILDING EXTERIOR PHOTOGRAPH**



**Brookhollow I  
Houston, Texas**

B. ASBESTOS FIREPROOFING REMOVAL STATUS DRAWING

BROOKHOLLOW 1  
HOUSTON, TEXAS



LEGEND:

	FIREPROOFING REMOVED PRIOR TO SALE
	FIREPROOFING REMOVED AFTER SALE
	FIREPROOFING REMAINS
	FIREPROOFING NEVER APPLIED

**C. BUILDING INFORMATION SUMMARY**

Building name: Brookhollow I

Location: Houston, Texas

Ownership: Property owned by The Prudential Insurance Company of America

Building use: Single-tenant, municipal offices

Total number of floors: 12; (ground through 11th), and three mechanical penthouses (two elevator machine rooms and a fan room)

Number of floors with spray-applied fireproofing: 12 floors and three mechanical penthouses

Total floor area with fireproofing: 202,049 sq. ft.

Location of fireproofing: Beams only

Type of deck: Corrugated steel

Core area: Bathrooms and mechanical rooms contain spray-applied fireproofing; elevator shafts and stairwells have none

Fireproofing surface area on a typical floor: 15,033.14 sq. ft.

Fireproofing surface area to floor area ratio (typical floor):  $15,033.14 \div 17,728 = 0.85$

Type of HVAC system: MER on each floor, original constant volume multi-zone AHU w/reheat coils in supply ducts; ceiling diffusers in the interior and slot diffusers along the perimeter; ceiling space is return air plenum.

**D. INFORMATION CONSIDERED IN THE DEVELOPMENT OF THIS REPORT**

**1. Building Information:**

- Building design drawings
- Asbestos survey
- Correspondence
- Building inspections
- Photographs and photo logs
- Discussions with building personnel

**2. Asbestos Abatement Cost Information:**

- Consultant's proposal
- Contractor's bid form
- Contract documents
- Consultant's invoices
- Contractor's applications for payment
- Change orders
- Property management invoices
- Correspondence

**3. Asbestos Abatement Project Information:**

- Contract documents
- Abatement specifications
- Abatement meeting notes

**Consultant's daily logs**

**Contractor's daily logs**

**Correspondence**

**Bulk/air sampling results**

**Federal and state asbestos regulations**

SECTION II

## **SECTION II**

### **SUMMARY OF COSTS**

Halliwell Engineering Associates, Inc., July 1996

TABLE 1

**BROOKHOLLOW I**  
**Houston, TX**  
**(W.R. Grace)**

**TABLE 1**  
**SUMMARY OF ASBESTOS FIREPROOFING**  
**REMOVAL AND REPLACEMENT NET COSTS**

COMPLETED ASBESTOS FIREPROOFING REMOVAL AND REPLACEMENT NET COSTS	= <u>\$1,782,524.00</u>
TOTAL NET COSTS ATTRIBUTABLE TO ASBESTOS FIREPROOFING REMOVAL AND REPLACEMENT	= <u>\$1,782,524.00</u>

TABLE 2

Brookhollow I  
Houston, TX  
(W.R. Grace)

**TABLE 2**  
**Summary of Completed Asbestos Fireproofing**  
**Removal and Replacement Net Costs**

<b>PROJECT INFORMATION</b>	
Floor(s)	Ground - 11th 01/86 - 07/86
Asbestos Abatement Dates	W.T. Stephens
Asbestos Abatement Contractor	BCM Converse
Asbestos Abatement Consultant	202,049
Project Floor Area (square feet)	
<b>GROSS ABATEMENT PROJECT COSTS (1)</b>	
Asbestos Abatement Contractor	\$1,587,800.00
Asbestos Abatement Consultant	177,524.00
Management Fee	20,000.00
Total Gross Abatement Project Costs	\$1,785,324.00
Total Cost per square foot of Floor Area	\$8.84
<b>DEDUCTIONS FOR NON FIREPROOFING</b>	
<b>PROJECT COSTS (NON-FF)</b>	
Vinyl Asbestos Floor Tile (VAT) Removal (2)	\$0.00
Thermal System Insulation (TSI) Removal (3)	0.00
Miscellaneous Project Cost Deductions (4)	2,800.00
Total Project Deductions	\$2,800.00
<b>CONTAMINATED BUILDING</b>	
<b>COMPONENT REPLACEMENT COSTS (5)</b>	
Ceilings	\$0.00
Light Fixtures	0.00
Ductwork	0.00
Total Contaminated Bldg. Component	
Replacement Cost	\$0.00
<b>TOTAL NET PROJECT COSTS</b>	
Total Net Project Costs	\$1,782,524.00
Total Net Project Cost Per Sq. Ft. of Floor Area	\$8.82

**NOTES:**

- (1) Refer to Table 3 for detailed listing of Gross Abatement Project Costs.
- (2) No VAT removal required per the project plans or specifications, therefore deduct = \$0.
- (3) No TSI removal required per the project plans or specifications, therefore deduct = \$0.
- (4) Refer to Table 3 for detailed listing of Miscellaneous Project Cost Deductions.
- (5) Refer to Table 5 for details of costs not included in this report.

TABLE 3

TABLE 4

Brookhollow I  
Houston, TX  
(W.R. Grace)

**TABLE 4**  
**INTEREST CHARGES**

An additional element of costs is interest charges. However, this report does not calculate that aspect of The Prudential Insurance Company of America's damages.